

GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District - Itikyal (Mandal) Vemula (Village) – O.P.Nos.147/97, 146/97 & 148/97 (total 3 O.Ps) - Sanction of decretal charges of **Rs.2,52,136/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 169

DATE:02.03.2009

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/1193/2008,  
Dt:31.12.08 alongwith the letter of Spl.Collector, Bheema Project, MBNR.

\*\*\*

ORDER:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, LA, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.Nos.147/97, 146/97 & 148/97 (total 3 O.Ps) pertaining to Vemula (V) Itikyal (M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the dry land to an extent of Ac.3-36 gts in the limits of Vemula (V) of Itikyal (M) Mahabubnagar District by fixing the Market value @Rs.14,000/- p.a and @Rs.11,000/- p.a for Categories No.1 & II through Award No.22/96, dt:27.07.1996 for the purpose of Excavation of Tail Channel and approach Channel at KM 44.930 of PJP Right Main Canal. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions U/s.18 (1) of L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Gadwal in its orders dt:08.06.2005 had delivered judgments by enhancing the market value from Rs.14,000/- Rs.52,500 p.a and from Rs.11,000/- to Rs.45,000/- per acre. Aggrieved with the market value enhanced by the Lower Court, the SDC, LA, PJP, Gadwal has filed appeals in the Hon'ble High Court of A.P, Hyd against the orders of the Lower Court. The Hon'ble H.C has granted Interim Stay Orders and directed to deposit 50% decretal charges. Accordingly, an amount of Rs.3,34,693/- was sanctioned and the same was deposited in the Court of the Sr.Civil Judge, Gadwal dt:09.11.2006. Finally, the Hon'ble High Court of A.P, Hyd has dismissed the Appeals on 20.11.2006 filed by the SDC, LA Unit, PJP, Gadwal by confirming the Judgment of Lower Court with modification of interest from the date of 4(1) Notification vide A.S.No.175-184-190 of 2006.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.2,52,136/- (Rupees Two lakhs fifty two thousand one hundred and thirty six only)** in respect of O.P.Nos.147/97, 146/97 & 148/97 (total 3 O.Ps) pertaining to Vemula (V) Itikyal (M) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired.

(PTO)

Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701- SMJH – 01- Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – SH (27) – Canals and Distributaries - 530 Major Works – 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.441/F2(2)/2009-1, dated 16.02.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS  
SECRETARY TO GOVERNMENT

To  
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.  
The Special Collector, LA, Bheema Project, Mahabubnagar.  
The Engineer-in-Chief, I&CAD, Erramanzil, Hyderabad.  
The SDC, LA, PJP, Gadwal, Mahabubnagar.  
The Director of Works Accounts, Hyderabad.  
Copy to: P.S. to Minister (M& MI).  
Finance (W&P) Department/File C.No.372/LA.III(A2)/2009  
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER